

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

KAYRAN MOHAMMAD OSKUIE,

Petitioner,

v.

EOP,

Respondent.

No. 2:22-cv-1107 WBS CKD P

ORDER

Petitioner, a California detainee proceeding pro se, has filed a motion asking that the court reconsider the October 6, 2022 order dismissing this case for petitioner's failure to pay the filing fee or submit a motion for leave to proceed in forma pauperis. A review of internal court records reveals that the court received a check for \$505 on July 25, 2022 for satisfaction of the filing fee for this action. Since the filing fee is only \$5.00, the check was returned to petitioner. Because it appears petitioner's failure to comply with the court's June 30, 2022 order that he either pay the \$5.00 filing fee for this action or submit a request to proceed in forma pauperis was not intentional, judgment will be vacated, and petitioner will be given one more opportunity to comply with that order.

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Accordingly, IT IS HEREBY ORDERED that:

1. Petitioner's motion for reconsideration (ECF No. 9) is granted. The Judgment entered on October 6, 2022 (ECF No. 8) is hereby vacated.

2. Within 30 days, petitioner shall submit a request to proceed in forma pauperis on the form provided by the Clerk of the Court or the \$5.00 filing fee. Petitioner's failure to comply with this order will result in dismissal.

3. The Clerk of the Court is directed to send petitioner a copy of the in forma pauperis form used by this district.

Dated: November 18, 2022

  
WILLIAM B. SHUBB  
UNITED STATES DISTRICT JUDGE

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